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 6 JOSE ALFREDO ARELLANO AND  
 7 BERTHA MORENO

## 8 UNITED STATES DISTRICT COURT

## 9 NORTHERN DISTRICT OF CALIFORNIA

10 LANDMARK HOME MORTGAGE, INC.

Case No. 07-CV-04654-JF

11 Plaintiff,

12 Vs.

13 GUILLERMO FLORES, ALVIN  
 14 SIBLERNAGEL, INC. dba ATLAS  
 15 FINANCIAL SERVICES and ATLAS  
 16 REALTY, BERTHA MORENO, JOSE  
 17 ARELLANO, ROBERT W. PETERSON,  
 individually and dba PETERSON APPRAISAL  
 GROUP, and Does 1 through 50,

18 Defendants.

19 **DEFENDANTS, JOSE ALFREDO  
 20 ARELLANO AND BERTHA MORENO,  
 21 JOINT INITIAL DISCLOSURES  
 22 [FRCP RULE 26(a)(1)]**

23 Pursuant to Federal Rules of Civil Procedure Rule 26(a)(1), Defendant JOSE ALFREDO  
 24 ARELLANO (“ARELLANO”) and BERTHA MORENO (MORENO) hereby make the following  
 25 joint disclosures:

26 **A. Individuals likely to have discoverable information.**

27 1. Jose Alfredo Arellano, Atlas Financial Services, is party affiliated and may be contacted  
 28 through counsel. He is knowledgeable about certain loans entered into by and between

1 Landmark Home Mortgage, Inc. ("Landmark") and certain borrower defendants named in  
2 this suit.

3 2. Bertha Alicia Moreno, Atlas Financial Services, is party affiliated and may be contacted  
4 through counsel. She is knowledgeable about certain loans entered into by and between  
5 Landmark and certain borrower defendants named in this suit.  
6  
7 3. All individuals described in the complaint, listed by other parties to this action, or  
8 subsequently identified during the course of discovery may have discoverable information  
9 relevant to Arellano and Moreno's claims and defenses.  
10  
11 4. Pursuant to Federal Rule 26 (e), Arellano and Moreno will supplement this list of individuals  
12 likely to have discoverable information as it becomes aware of the identities of additional  
13 persons during discovery.

14 **B. Documents in Arellano's possession, custody, or control that may be used to support  
15 Moreno's claims, counter-claims or defenses.**

16 The files for Guillermo Flores, cross-defendant named in this matter, which were kept in the  
17 ordinary course of business by the broker for Arellano and Moreno.  
18

19 Pursuant to Federal Rule 26 (e), Arellano and Moreno will supplement this list of documents  
20 as additional documents come to Arellano and Moreno's attention through a further search of his or  
21 her records or through discovery in this case.

22 **C. Computation of damages.**

23 Other than attorney's fees and costs which might be obtained by Arellano and Moreno in  
24 defending this action, Arellano and Moreno are unaware of any other damages at this time. Arellano  
25  
26

1 and Moreno reserve the right to disclose at the appropriate time the computation of his or her claims  
2 for attorney's fees and costs.

**D. Applicable insurance agreements.**

Arellano and Moreno are unaware of any applicable or available insurance at this time. They have filed a claim through their broker Alvin Silbernagel of Atlas Financial Services to Superior Claim Services, LLC, claim no RE-08-07-000027, policy number REO-2003988-03, which has not been approved. Whether insurance coverage is available to either Arellano and/or Moreno is still being investigated by the claims adjuster, Jaime Macial. Pursuant to Federal Rule 26 (e), Arellano and Moreno will supplement his initial disclosures as, and if, other information becomes available.

Dated: 12/11/07

Respectfully Submitted,

## THE HERITAGE LAW GROUP

Roger D. Wintle

Atorneys for Defendant:  
JOSE ALFREDO ARELLANO and  
BERTHA MORENO